

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 05-524-A)

In re Application of:)
))
Bruno Marchevsky)) Art Unit: **2617**
Serial No.: **10/785,490**)) Examiner: **Jean Alland Gelin**
Filed: **February 24, 2004**)) Confirmation No. **9881**
For: **Enhanced Method and Apparatus for**)
Detecting the Presence of a Wireless Network

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. 1.313(c)

Dear Sir,

This is a Petition to withdraw issuance of a patent for the above-identified application pursuant to 37 C.F.R. § 1.313(c)(2). A Petition fee of \$130.00 under 37 C.F.R. § 1.17(h) is being submitted herewith. A Request for a Continued Examination in compliance with 37 C.F.R. § 1.114 is being filed concurrently herewith.

The withdrawal of this application from issue is necessary to allow for consideration of an information disclosure statement citing references that Applicant discovered after payment of the issue fee. Applicant's published application (i.e., U.S. Patent Application Publication No. 2005/0032516) was used to reject claims in an Office Action for issued U.S. Patent No. 7,099,627, which is listed on the information disclosure statement. Accordingly, the Applicant intends to reopen prosecution of this application for consideration of the references cited in the

information disclosure statement by filing this Petition together with a Request for Continued Examination. Prompt consideration of this Petition is respectfully requested and a favorable determination is earnestly solicited.

Respectfully submitted,

McDonnell, Boehnen, Hulbert, and Berghoff LLP

Date: SEPTEMBER 7, 2006

By: David L. Ciesielski
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